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(b) If the Officer in Charge, Marine Inspection rejects the proposal, the Officer in Charge, Marine Inspection informs the owner of the reasons why the proposal is rejected.

(c) If the Officer in Charge, Marine Inspection accepts the proposal, then the owner shall ensure that—

(1) The proposal is followed; and

(2) Nondestructive testing is performed by personnel meeting ASNT “Recommended Practice No. SNT-TC-1A (1988), Personnel Qualifications and Certification in Nondestructive Testing.”

(d) Within 30 days after completing the nondestructive test, the owner shall submit a written report of the results to the Officer in Charge, Marine Inspection.

[CGD 85-061, 54 FR 50965, Dec. 11, 1989]

Subpart 98.30—Portable Tanks

SOURCE: CGD 73-172, 39 FR 22954, June 25, 1974, unless otherwise noted.

§ 98.30-1 Applicability.

(a) This subpart contains regulations concerning transfer of combustible liquids, certain flammable liquids, and other hazardous materials to or from portable tanks on vessels.

(b) This subpart applies to the following portable tanks:

(1) A marine portable tank (MPT);

(2) An IM 101 or IM 102 portable tank; and

(3) A portable tank authorized for liquid hazardous materials, other than liquefied gases, by the Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration (AAHMS), under an exemption issued in accordance with subpart B of 49 CFR part 107.

[CGD 84-043, 55 FR 37411, Sept. 11, 1990, as amended by CGD 97-057, 62 FR 51046, Sept. 30, 1997]

§ 98.30-2 Definitions.

(a) *IM 101 portable tank* and *IM 102 portable tank* mean a portable tank constructed in accordance with 49 CFR 178.270 through 178.272 and approved under 49 CFR 173.32a.

(b) *MPT* means a marine portable tank that was inspected and stamped

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by the Coast Guard on or before September 30, 1992, and that meets the applicable requirements in this part and part 64 of this chapter.

[CGD 84-043, 55 FR 37411, Sept. 11, 1990]

§ 98.30-3 Vessels carrying MPTs.

Each MPT on a vessel to which this part applies must bear, on a metal or other corrosion-resistant tag—

(a) An inspection date for pressure relief devices and vacuum relief devices in accordance with paragraph (b) of § 64.79 of this chapter that is not more than 12 months earlier than the month in which the vessel is operated;

(b) An inspection date in accordance with paragraph (b) of § 64.81 of this chapter that is not more than 30 months earlier than the month during which the vessel is operated; and

(c) A hydrostatic test date in accordance with paragraph (b) of § 64.83 of this chapter that is not more than 60 months earlier than the month during which the vessel is operated.

[CGD 84-043, 55 FR 37411, Sept. 11, 1990]

§ 98.30-4 Vessels carrying portable tanks other than MPTs.

(a) Each portable tank, other than an MPT, on board a vessel to which this part applies must be one of the following:

(1) An IM 101 or IM 102 tank authorized for its contents in accordance with Columns 7 and 8C of the Hazardous Materials Table of 49 CFR 172.101.

(2) A portable tank authorized by the AAHMS under an exemption issued in accordance with subpart B of 49 CFR part 107, and

(i) According to the terms of the exemption, equivalent to an IM 101 or IM 102 portable tank; and

(ii) Authorized for its contents under the terms of the exemption or by written acknowledgment from the AAHMS.

(b) Each IM 101 or IM 102 portable tank must be tested and inspected in accordance with 49 CFR 173.32b, and used only as specified in 49 CFR 173.32c.

(c) Each portable tank authorized under an exemption from the AAHMS

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must be inspected and tested, maintained, and used in accordance with the terms of that exemption.

[CGD 84-043, 55 FR 37411, Sept. 11, 1990; 56 FR 13598, Apr. 3, 1991, as amended by CGD 95-072, 60 FR 50464, Sept. 29, 1995; CGD 96-041, 61 FR 50730, Sept. 27, 1996; CGD 97-057, 62 FR 51046, Sept. 30, 1997]

§ 98.30-5 Materials authorized for transfer to and from a portable tank.

(a) The following hazardous materials may be transferred to and from a portable tank under this subpart:

(1) Any Grade D or Grade E combustible liquid listed in § 30.25-1 of this chapter that does not meet the definition of any hazard class in 49 CFR part 173 other than that of “flammable liquid”, “combustible liquid”, or “ORM-E”;

(2) Any corrosive liquid that—

(i) Is compatible with the materials of the tank;

(ii) Meets the definition of no other hazard class in 49 CFR part 173; and

(iii) Is authorized for transport in an IM 101 or IM 102 portable tank under subpart F of 49 CFR part 173;

(3) Any hazardous material listed in Table 98.30-5(a);

(4) Any environmentally hazardous substance, liquid, N.O.S., Class 9, listed in table 1 of appendix A of 49 CFR 172.101, and any aqueous solution of an environmentally hazardous substance, solid, N.O.S., Class 9, listed in that table, that meets the definition of “hazardous substance” in 49 CFR 171.8; and

(5) Other cargoes subject to regulation under 49 CFR parts 171 through 176 when authorized in writing by the Commandant. Requests for such authorization must be submitted as prescribed in § 153.900(d)(1) of this chapter.

TABLE 98.30-5(a)—CERTAIN HAZARDOUS MATERIALS AUTHORIZED FOR TRANSFER TO AND FROM PORTABLE TANKS

Acetone
Alcohols; flash point of 80 °F (27 °C) or less by open-cup test
Benzene
Gasoline
Mixtures of Hydrochloric acid and hydrofluoric acid containing not more than 36 percent hydrochloric acid or 2 percent hydrofluoric acid¹
Methyl Ethyl Ketone

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TABLE 98.30-5(a)—CERTAIN HAZARDOUS MATERIALS AUTHORIZED FOR TRANSFER TO AND FROM PORTABLE TANKS—Continued

Toluene (Toluol)

NOTE:

¹Each MPT must be lined with rubber or with material equally acid-resistant and equally strong and durable.

(b) Grade D and Grade E combustible liquids with a flash point of 100°F (38°C) or higher by closed cup test that are not listed by name in the Table of 49 CFR 172.101 may be transferred to and from an MPT or an IM 102 portable tank conforming to the entry for note “T1” of 49 CFR 172.102(c)(7)(i).

(c) Sulfuric acid having a concentration of not over 51 percent may be transferred to or from an MPT only if the MPT is lined with rubber or with material equally acid-resistant and equally strong and durable.

(d) Sulfuric acid having a concentration of 65.25 percent or greater may be transferred to or from any portable tank; *provided* that the corrosion rate on steel, measured at 100 °F (38 °C), of sulfuric acid having a concentration of greater than 65.25 percent is not greater than the corrosion rate of such an acid having a concentration of 65.25 percent.

(e) Environmentally hazardous substances (see paragraph (a)(4) of this section) may be transferred only to or from an IM 101 or IM 102 portable tank or an MPT.

(f) A hazardous material that may be transferred to and from an IM 102 portable tank may also be transferred to and from an IM 101 portable tank.

(g) No hazardous material not referred to in this section may be transferred to or from a portable tank on board a vessel.

[CGD 84-043, 55 FR 37411, Sept. 11, 1990; 55 FR 40755, Oct. 4, 1990, as amended by CGD 97-057, 62 FR 51046, Sept. 30, 1997]

§ 98.30-6 Lifting a portable tank.

No person may lift a portable tank with another portable tank.

[CGD 73-172, 39 FR 22954, June 25, 1974. Redesignated by CGD 84-043, 55 FR 37411, Sept. 11, 1990]